IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO.3840 OF 2005

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.

Court's or Judge's orders

Mr. R.G.Ketkar, for the Petitioners

CORAM : F.I. REBELLO,J.
DATED : October 18,2005

P.C.

. The impugned order is dated 28th June, 2002. The petition does not contain any reason as to why it took more than 3 years to file the petition except for a bold averment that the documents have been collected and sanction had to be obtained. Even if that be so, it does not require a public body three years to file the petition. Apart from that by the impugned order the declaration dated 31st October, 2000 to the extent of an area of 1918.50 sq. meters in Survey No.4A/12A and 12B of Mouje, Kendhave, Khurd, Pune was set aside with directions as set out therein. In other words it is open to the petitioners after complying with the said directions to take

such steps in law which they are entitled to. Nothing has been shown on record as to whether after 3 years petitioners have taken any steps.

2. Considering the above this would not be a fit case for this Court to exercise its extra ordinary jurisdiction. Petition rejected.

(F.I. REBELLO, J.)